

considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 305.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee

on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BURGESS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3 p.m. today.

Accordingly (at 2 o'clock and 1 minute p.m.), the House stood in recess.

□ 1500

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at 3 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 229;

Adoption of House Resolution 229, if ordered;

Ordering the previous question on House Resolution 230; and

Adoption of House Resolution 230, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 1430, HONEST AND OPEN NEW EPA SCIENCE TREATMENT ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on order-

ing the previous question on the resolution (H. Res. 229) providing for consideration of the bill (H.R. 1430) to prohibit the Environmental Protection Agency from proposing, finalizing, or disseminating regulations or assessments based upon science that is not transparent or reproducible, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 231, nays 189, not voting 19, as follows:

[Roll No. 197]

YEAS—231

Abraham	Gaetz	Meehan
Aderholt	Gallagher	Messer
Allen	Garrett	Mitchell
Amash	Gibbs	Moolenaar
Amodel	Gohmert	Mooney (WV)
Arrington	Goodlatte	Mullin
Babin	Gosar	Murphy (PA)
Bacon	Gowdy	Newhouse
Banks (IN)	Granger	Noem
Barletta	Graves (GA)	Nunes
Barr	Graves (LA)	Olson
Barton	Graves (MO)	Palazzo
Bergman	Griffith	Palmer
Biggs	Grothman	Paulsen
Billirakis	Guthrie	Pearce
Bishop (MI)	Harper	Perry
Bishop (UT)	Harris	Poe (TX)
Black	Hartzer	Poliquin
Blackburn	Hensarling	Posey
Blum	Herrera Beutler	Ratcliffe
Bost	Hice, Jody B.	Reed
Brady (TX)	Higgins (LA)	Reichert
Brat	Hill	Renacci
Bridenstine	Holding	Rice (SC)
Brooks (AL)	Hollingsworth	Roby
Brooks (IN)	Hudson	Roe (TN)
Buchanan	Huizenga	Rogers (AL)
Buck	Hultgren	Rogers (KY)
Bucshon	Hunter	Rohrabacher
Budd	Hurd	Rokita
Burgess	Issa	Rooney, Francis
Byrne	Jenkins (KS)	Roskam
Calvert	Jenkins (WV)	Ross
Carter (GA)	Johnson (LA)	Rothfus
Carter (TX)	Johnson (OH)	Rouzer
Chabot	Johnson, Sam	Royce (CA)
Chaffetz	Jones	Russell
Cheney	Jordan	Rutherford
Coffman	Joyce (OH)	Sanford
Cole	Katko	Scalise
Collins (GA)	Kelly (MS)	Schweikert
Collins (NY)	Kelly (PA)	Scott, Austin
Comer	King (IA)	Sensenbrenner
Comstock	King (NY)	Sessions
Conaway	Kinzinger	Shimkus
Cook	Knight	Shuster
Costello (PA)	Kustoff (TN)	Smith (MO)
Cramer	Labrador	Smith (NE)
Crawford	LaHood	Smith (NJ)
Culberson	LaMalfa	Smith (TX)
Curbelo (FL)	Lamborn	Smucker
Davidson	Lance	Stefanik
Davis, Rodney	Latta	Stewart
Denham	Lewis (MN)	Stivers
Dent	LoBiondo	Taylor
DeSantis	Long	Tenney
DesJarlais	Loudermilk	Thompson (PA)
Diaz-Balart	Love	Thornberry
Donovan	Lucas	Tiberi
Duffy	Luetkemeyer	Tipton
Duncan (SC)	MacArthur	Trott
Duncan (TN)	Marchant	Turner
Dunn	Marshall	Upton
Emmer	Massie	Valadao
Farenthold	Mast	Wagner
Faso	McCarthy	Walberg
Ferguson	McCauley	Walden
Fitzpatrick	McClintock	Walker
Fleischmann	McHenry	Walorski
Flores	McKinley	Walters, Mimi
Fortenberry	McMorris	Weber (TX)
Fox	Rodgers	Webster (FL)
Franks (AZ)	McSally	Wenstrup
Frelinghuysen	Meadows	Westerman

Williams	Woodall	Young (IA)
Wilson (SC)	Yoder	Zeldin
Wittman	Yoho	
Womack	Young (AK)	

NAYS—189

Adams	Fudge	Napolitano
Aguilar	Gabbard	Neal
Barragán	Gallego	Nolan
Bass	Garamendi	Norcross
Beatty	Gonzalez (TX)	O'Halleran
Bera	Gottheimer	O'Rourke
Beyer	Green, Al	Pallone
Bishop (GA)	Green, Gene	Panetta
Blumenauer	Grijalva	Pascrell
Blunt Rochester	Gutiérrez	Payne
Bonamici	Hanabusa	Pelosi
Boyle, Brendan	Hastings	Perlmutter
F.	Heck	Peters
Brady (PA)	Higgins (NY)	Peterson
Brown (MD)	Himes	Pingree
Brownley (CA)	Hoyer	Pocan
Bustos	Huffman	Polis
Butterfield	Jackson Lee	Quigley
Capuano	Jayapal	Raskin
Carbajal	Jeffries	Rice (NY)
Cárdenas	Johnson (GA)	Richmond
Carson (IN)	Johnson, E. B.	Rosen
Cartwright	Kaptur	Roybal-Allard
Castor (FL)	Keating	Ruiz
Castro (TX)	Kelly (IL)	Ruppersberger
Chu, Judy	Kennedy	Sánchez
Cicilline	Khanna	Sarbanes
Clark (MA)	Kihuen	Schakowsky
Clarke (NY)	Kildee	Schiff
Clay	Kilmer	Schneider
Cleaver	Kind	Schrader
Clyburn	Krishnamoorthi	Scott (VA)
Cohen	Kuster (NH)	Serrano
Connolly	Langevin	Sewell (AL)
Conyers	Larsen (WA)	Shea-Porter
Cooper	Larson (CT)	Sherman
Correa	Lawrence	Sinema
Costa	Lawson (FL)	Sires
Courtney	Lee	Smith (WA)
Crist	Levin	Soto
Crowley	Lewis (GA)	Speier
Cuellar	Lieu, Ted	Suozi
Cummings	Lipinski	Swalwell (CA)
Davis (CA)	Loeb sack	Takano
Davis, Danny	Lofgren	Thompson (CA)
DeFazio	Lowenthal	Thompson (MS)
DeGette	Lowe y	Titus
Delaney	Lujan Grisham,	Tonko
DeLauro	M.	Torres
DelBene	Luján, Ben Ray	Tsongas
Demings	Lynch	Vargas
DeSaulnier	Maloney,	Veasey
Deutch	Carolyn B.	Vela
Dingell	Maloney, Sean	Velázquez
Doggett	Matsui	Visclosky
Doyle, Michael	McCollum	Walz
F.	McEachin	Wasserman
Ellison	McGovern	Schultz
Engel	McNerney	Waters, Maxine
Eshoo	Meeks	Watson Coleman
Espallat	Meng	Welch
Esty	Moore	Wilson (FL)
Evans	Moulton	Yarmuth
Foster	Murphy (FL)	
Frankel (FL)	Nadler	

NOT VOTING—9

Marino	Rooney, Thomas	Scott, David
Pittenger	J.	Simpson
Price (NC)	Ros-Lehtinen	Slaughter
	Rush	

□ 1525

Mr. BLUMENAUER and Ms. ROYBAL-ALLARD changed their vote from “yea” to “nay.”

Mr. CULBERSON changed his vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 231, noes 185, not voting 13, as follows:

[Roll No. 198]

AYES—231

Abraham	Gibbs	Newhouse
Aderholt	Gohmert	Noem
Allen	Goodlatte	Nunes
Amash	Gosar	Olson
Amodei	Gowdy	Palazzo
Arrington	Granger	Palmer
Babin	Graves (GA)	Paulsen
Bacon	Graves (LA)	Pearce
Banks (IN)	Graves (MO)	Perry
Barletta	Griffith	Poe (TX)
Barr	Grothman	Poliquin
Barton	Guthrie	Posey
Bergman	Harper	Ratcliffe
Biggs	Harris	Reed
Bilirakis	Hartzer	Reichert
Bishop (MI)	Hensarling	Renacci
Bishop (UT)	Herrera Beutler	Rice (SC)
Black	Hice, Jody B.	Rice (SC)
Blackburn	Higgins (LA)	Roby
Blum	Hill	Roe (TN)
Bost	Holding	Rogers (KY)
Brady (TX)	Hollingsworth	Rohrabacher
Brat	Hudson	Rokita
Bridenstine	Huizenga	Rooney, Francis
Brooks (AL)	Hultgren	Roskam
Brooks (IN)	Hunter	Ross
Buchanan	Hurd	Rothfus
Buck	Issa	Rouzer
Bucshon	Jenkins (KS)	Royce (CA)
Budd	Jenkins (WV)	Russell
Burgess	Johnson (LA)	Rutherford
Byrne	Johnson (OH)	Sanford
Calvert	Johnson, Sam	Scalise
Carter (GA)	Jones	Schweikert
Carter (TX)	Jordan	Scott, Austin
Chabot	Joyce (OH)	Sensenbrenner
Chaffetz	Katko	Sessions
Cheney	Kelly (MS)	Shimkus
Coffman	Kelly (PA)	Shuster
Cole	King (IA)	Smith (MO)
Collins (GA)	King (NY)	Smith (NE)
Collins (NY)	Kinzinger	Smith (NJ)
Comer	Knight	Smith (TX)
Comstock	Kustoff (TN)	Smucker
Conaway	Labrador	Stefanik
Cook	LaHood	Stewart
Costa	LaMalfa	Stivers
Costello (PA)	Lamborn	Taylor
Cramer	Lance	Tenney
Crawford	Latta	Thompson (PA)
Culberson	Lewis (MN)	Thornberry
Curbelo (FL)	LoBiondo	Tiberi
Davidson	Long	Tipton
Davis, Rodney	Loudermilk	Trott
Denham	Love	Turner
Dent	Lucas	Upton
DeSantis	Luetkemeyer	Valadao
DesJarlais	MacArthur	Wagner
Diaz-Balart	Marchant	Walberg
Donovan	Marshall	Walden
Duffy	Massie	Walker
Duncan (SC)	Mast	Walorski
Duncan (TN)	McCarthy	Walters, Mimi
Dunn	McCauley	Weber (TX)
Emmer	McClintock	Webster (FL)
Farenthold	McHenry	Wenstrup
Faso	McKinley	Westerman
Ferguson	McMorris	Williams
Fitzpatrick	Rodgers	Wilson (SC)
Fleischmann	McSally	Wittman
Flores	Meadows	Womack
Fortenberry	Meehan	Woodall
Fox	Messer	Yoder
Franks (AZ)	Mitchell	Yoho
Frelinghuysen	Moolenaar	Young (AK)
Gaetz	Mooney (WV)	Young (IA)
Gallagher	Mullin	Zeldin
Garrett	Murphy (PA)	

NOES—185

Adams	Blumenauer
Aguilar	Blunt Rochester
Barragán	Bonamici
Bass	Boyle, Brendan
Beatty	F.
Bera	Brady (PA)
Beyer	Brown (MD)
Bishop (GA)	Brownley (CA)
Bustos	Butterfield
Capuano	Carbajal
Cárdenas	Carson (IN)
Cartwright	Castor (FL)

Castro (TX)	Jeffries	Pelosi
Chu, Judy	Johnson (GA)	Perlmutter
Cicilline	Johnson, E. B.	Peters
Clark (MA)	Kaptur	Peterson
Clarke (NY)	Keating	Pingree
Clay	Kelly (IL)	Pocan
Clyburn	Kennedy	Polis
Cohen	Khanna	Quigley
Connolly	Kihuen	Raskin
Conyers	Kildee	Rice (NY)
Cooper	Kilmer	Richmond
Correa	Kind	Rosen
Courtney	Krishnamoorthi	Roybal-Allard
Crist	Kuster (NH)	Ruiz
Crowley	Langevin	Ruppersberger
Cuellar	Larsen (WA)	Ryan (OH)
Cummings	Larson (CT)	Sánchez
Davis (CA)	Lawrence	Sarbanes
Davis, Danny	Lawson (FL)	Schakowsky
DeFazio	Lee	Schiff
DeGette	Levin	Schneider
Delaney	Lewis (GA)	Schrader
DeLauro	Lieu, Ted	Scott (VA)
DelBene	Lipinski	Serrano
Demings	Loeb sack	Sewell (AL)
DeSaulnier	Lofgren	Shea-Porter
Deutch	Lowenthal	Sherman
Dingell	Lowe y	Sinema
Doggett	Lujan Grisham,	Sires
Doyle, Michael	M.	Smith (WA)
F.	Luján, Ben Ray	Soto
Ellison	Lynch	Speier
Engel	Maloney,	Suozi
Eshoo	Carolyn B.	Swalwell (CA)
Espallat	Maloney, Sean	Takano
Esty	Matsui	Thompson (CA)
Evans	McCollum	Thompson (MS)
Foster	McEachin	Titus
Frankel (FL)	McGovern	Tonko
	Fudge	Torres
	Gabbard	Tsongas
	Garamendi	Vargas
	Meng	Veasey
	Moore	Vela
	Moulton	Velázquez
	Murphy (FL)	Visclosky
	Nadler	Walz
	Napolitano	Wasserman
	Neal	Schultz
	Nolan	Waters, Maxine
	Norcross	Watson Coleman
	O'Halleran	Welch
	O'Rourke	Wilson (FL)
	Hoyer	Yarmuth
	Panetta	
	Pascarell	
	Payne	

NOT VOTING—13

Cleaver	Price (NC)	Rush
Gallego	Rogers (AL)	Scott, David
Himes	Rooney, Thomas	Simpson
Marino	J.	Slaughter
Pittenger	Ros-Lehtinen	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1532

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF S.J. RES. 34, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE FEDERAL COMMUNICATIONS COMMISSION

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 230) providing for consideration of the joint resolution (S.J. Res. 34) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications